**PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

**Contact No.0172-2864116, Fax No.0172-2864125**

**Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com/); **Email.** **psic26@punjabmail.gov.in**

Sh. Gurinder Singh,

S/o Sh. Jatinder Singh,

R/o Street No.1, Gurpreet Nagar,

Daba, Ludhiana.

Appellant

Versus

**Public Information Officer**,

O/o Tehsil Welfare Officer (West),

Ludhiana.

**First Appellate Authority**,

O/o Tehsil Welfare Officer (West),

Ludhiana.

Respondent

**Appeal Case No. 2917 of 2017**

Present : (i) None is present on behalf of the appellant.

(ii) Sh. Gurpal Singh, Sr. Assistant on behalf of the respondent.

**ORDER:**

 This order may be read with reference to the previous order dated 14.03.2018

2. A letter has been received from the appellant in the Commission by email mentioning therein that due to some urgent work, he cannot attend today’s hearing.

3. The respondent files reply today in the Commission mentioning therein that the complete information as per office record has already been supplied to the appellant. He has also filed the undertaking of the District Welfare Officer, Ludhiana that the information has been supplied to the appellant.

4. After examining the case file, it reveals that this information has not been sought for any public interest. Only personal interest is involved in seeking the information. During the hearing dated 19.12.2017, the appellant was advised to justify public interest but till today, he has failed to do so.

5. The Commission, has to adjudicate as per provisions mandated by RTI Act, 2005. This is a case of grievance of the appellant who has attempted to find redressal thereof by filling second appeal in the Commission. The perception of the appellant that use of RTI Act can be employed as a mechanism for redressal of his

Contd..p-2

**Appeal Case No. 2917 of 2017**

grievance is beyond the paradigm of the Act. The Commission advises the appellant to approach the competent forum or Court for redressal of his grievance as it is unable to go outside the jurisdiction stipulated by the RTI Act. In wake of aforementioned, this Appeal Case is hereby devoid of merit and hence **closed and disposed of.**

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

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Sh. Harbhajan Singh,

S/o Sh. Darshan Singh,

H.No.954, Nathuana Gate,

Jandiala Guru, Distt: Amritsar.

Appellant

Versus

**Public Information Officer**,

O/o District Manager,

PUNSUP, Ranjit Avenue,

Amritsar.

**First Appellate authority**

o/o Director Manager,

PUSUP, Punjab, Chandigarh.

 Respondent

**Appeal CASE NO. 3162 OF 2017**

**PRESENT:** (i) Sh. Harbhajan Singh, the appellant.

(ii) Sh. Keshav Chander God on behalf of the respondent.

**ORDER:**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The appellant states that till today, complete information has not been supplied to him by the respondent.

3. The respondent states that the information as per official record has already been supplied to the appellant on 21.03.2018.

4. After hearing both the parties and perusing the record as available in the file, it is ascertained that the RTI application is dated 04.08.2017 and first reply has been sent to the appellant in the month of Feb, 2018, after the delay of five months.

5. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **Sh. Keshav Chander God, PIO o/o District Manager, PUNSUP, Amritsar** is directed to show cause as to why penalty @ 250/-per day be not imposed upon her under Section 20 (1) of the RTI Act for not sending the information to the appellant within the statutorily period and why the appellant should not be compensated for the harassment suffered by him in getting the information.

Contd…p-2

**Appeal CASE NO. 3162 OF 2017**

6. The respondent-PIO is directed to file a point-wise affidavit in this regard before the next date of hearing with a copy to the appellant.

7. The perusal of the file and the conduct of the respondent have proved that he has not performed his duty as mandated by the RTI regime. Such kind of behavior of a Government employee needs to be condemned and such employees need to be taught a good lesson so that rest of the employees have a right kind of message to wake up and perform their duties under the RTI Act for ensuring complete transparency and due accountability in the governance affairs of the public authorities.

8. The perusal of the record reveals that in this case, the appellant has tried his best to get the information from the PIO who failed to provide the information to the applicant. He has been made to run from pillar to post for getting the information, which he could not get even after the notice was issued by the Commission in the second appeal. He has suffered unnecessary detriments/harassment in getting the information at the hands of the PIO.

9. I have also looked into all the facts and circumstances of the case. In my view this is a fit case, where award of compensation under Section 19 (8) (b) is also called for. I have no doubt in my mind that this state of affairs has also come about on account of the absence of adequate machinery for handling the RTI work in the o/o **District Manager, PUNSUP, Amritsar** is thus, responsible for the inadequate handling of the RTI requests and in the instant case as well. **I, therefore, order that compensation of Rs. 4,000/- (Rs. Four thousand only)** be paid to the appellant for the detriments suffered by him. This amount shall be payable from the funds of the o/o **District Manager, PUNSUP, Amritsar** by way of Demand Draft to the appellant within one month.

10. The matter is adjourned for further hearing now on **05.07.2018 at 11.30AM**. Copies of the order be sent to the parties.

 **Sd/-**

**Chandigarh (Prof. Viney Kapoor Mehra)**

 **08.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Jai Gopal Dhiman,

P.O No.10, Head Post Office,

Hoshiarpur.

Appellant

Versus

**Public Information Officer**,

O/o Director,

Social Security Development of Women &

Children, Punjab, Sector:34,

Chandigarh.

**First Appellate Authority**

o/o Director,

Social Security Development of Women &

Children, Punjab, Sector:34,

Chandigarh.

Respondent

**Appeal CASE NO. 3141 OF 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Smt. Nirmal Kumari on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 08.02.2018.

2. The appellant is absent for today’s hearing without any intimation to the Commission.

3. The respondent states that as directed by the Commission during the last hearing the complete information has been supplied to the appellant vide letter dated 20.02.2018 by registered post and no observations have been received from the appellant till today.

4. The perusal of record reveals that the complete information as per the request of the appellant stands supplied to him by the respondent and the appellant has not pointed out any deficiency, which shows that he is satisfied with the information.

5. In view of the above, no further cause of action is left in the instant Appeal Case, which is hereby, **disposed of and closed**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

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Sh. Gurdip Singh,

S/o Sh. Chanan Singh,

# 215, Ajit Nagar, Sultanwind Road,

Amritsar.

Complainant

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Amritsar.

**Public Information Officer,**

O/o SDO,

PWD, B&R, Near Gagan Cinema,

Amritsar.

Respondent

**Complaint CASE NO. 1402 OF 2017**

**PRESENT:** (i) Sh. Gurdip Singh, the complainant.

(ii) Sh. Tejinder Singh, A.E o/o XEN, PWD (B&R), Amritsar on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The complainant states that till today, correct and complete information has not been provided to him by the respondent.

3. Sh. Tejinder Singh, A.E o/o XEN, PWD (B&R), Amritsar is appearing on behalf of the respondent and files his reply mentioning therein that the information which was related information with the o/o SDO, PWD, B&R, Amritsar has been supplied to the appellant vide letter dated 21.03.2018.

4. In the complaint case, the intention of the PIO is to be seen whether he/she has replied to the complainant in time or not but the perusal of the file and the conduct of the respondent has proved that she has not performed her duty as mandated by the RTI regime.

5. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **Smt. Anupreet Kaur, PIO–cum-Executive Officer o/o Amritsar Development Authority, Amritsar** is directed to show cause as to why penalty @ 250/-per day be not imposed upon her under Section 20 (1) of the RTI Act for not sending the information to the complainant within the statutorily period.

Contd…p-2

**Complaint CASE NO. 1402 OF 2017**

6. The respondent-PIO is directed to file a point-wise affidavit in this regard before the next date of hearing with a copy to the complainant.

7. She may also make use of the next date of hearing for her personal hearing as well under the principles of natural justice and explain her conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

8. The matter to come up for further hearing on **05.07.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

***Through registered post***

CC: Smt. Anupreet Kaur, Executive Officer o/o Amritsar Development Authority, Amritsar.

 **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

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Sh. Kuldeep Singh,

R/o Village Bhateri, Tehsil Bassi Pathana,

Distt:Fatehgarh Sahib.

 Complainant

Versus

**Public Information Officer,**

O/o Zila Parishad,

Fatehgarh Sahib.

Respondent

**Complaint** **Case No. 113 of 2018**

**PRESENT:** None for the parties.

**ORDER**

 The RTI application is dated 26.10.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 18.01.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 27.03.2018 in the Commission but due to some reason the case was adjourned and fixed for today’s hearing.

3. The complainant is absent for today’s hearing without any intimation to the Commission.

4. Neither the PIO is present for today’s hearing nor has filed any reply to the Notice of the Commission.

5. In the complaint case, the intention of the PIO is to be seen whether he/she has replied to the complainant in time or not but the perusal of the file and the conduct of the respondent has proved that he/she has not performed his/her duty as mandated by the RTI regime.

6. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **PIO o/o Zila Parishad, Fatehgarh Sahib** is directed to show cause as to why penalty @ 250/-per day be not imposed upon him under Section 20 (1) of the RTI Act for not sending the information to the complainant within the statutorily period.

Contd…p-2

**Complaint** **Case No. 113 of 2018**

7. The respondent-PIO is directed to file a point-wise affidavit in this regard before the next date of hearing with a copy to the complainant.

8. The PIO may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice and explain his conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

9. The matter to come up for further hearing on **10.07.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

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**Sector:16, Chandigarh**

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Sh. Kuldeep Singh,

R/o Village Bhateri, Tehsil Bassi Pathana,

Distt:Fatehgarh Sahib.

 Complainant

Versus

**Public Information Officer,**

O/o Chief Executive Officer,

Zila Parishad, Fatehgarh Sahib.

Respondent

**Complaint** **Case No. 111 of 2018**

**PRESENT:** None for the parties.

**ORDER**

 The RTI application is dated 31.10.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 18.01.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 27.03.2018 in the Commission but due to some reason the case was adjourned and fixed for today’s hearing.

 3. The complainant is absent for today’s hearing without any intimation to the Commission.

 4. Neither the PIO is present for today’s hearing nor has filed any reply to the Notice of the Commission.

5. In the complaint case, the intention of the PIO is to be seen whether he/she has replied to the complainant in time or not but the perusal of the file and the conduct of the respondent has proved that he/she has not performed his/her duty as mandated by the RTI regime.

6. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **PIO o/o Chief Executive Officer, Zila Parishad, Fatehgarh Sahib** is directed to show cause as to why penalty @ 250/-per day be not imposed upon him under Section 20 (1) of the RTI Act for not sending the information to the complainant within the statutorily period.

Contd…p-2

**Complaint** **Case No. 111 of 2018**

7. The respondent-PIO is directed to file a point-wise affidavit in this regard before the next date of hearing with a copy to the complainant.

8. The PIO may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice and explain his conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

9. The matter to come up for further hearing on **10.07.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

**PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

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Sh. Jaswinder Singh,

S/o Sh. Hari Singh,

Village:Salahpur, Tehsil: Chamkaur Sahib.

Distt:Ropar.

 …Complainant

Versus

**Public Information Officer,**

O/o BDPO,

Sri Chamkaur Sahib.

 ...Respondent

**Complaint Case No. 108 of 2018**

**PRESENT:** (i) Sh. Jaswinder Singh, the complainant.

(ii) None is present on behalf of the respondent.

**ORDER**

 The RTI application is dated 31.10.2017 whereby the information-seeker has sought information as mentioned in his RTI application. He filed complaint in the Commission on 18.01.2018 under Section 18 of the Right to Information Act, 2005 (hereinafter RTI Act).

 2. Notice was issued to the parties for hearing for 27.03.2018 in the Commission but due to some reason the case was adjourned and fixed for today’s hearing.

 3. The Complainant states that till today, no reply has been given to him by the respondent.

 4. Neither the PIO is present for today’s hearing nor has filed any reply to the Notice of the Commission.

5. In the complaint case, the intention of the PIO is to be seen whether he/she has replied to the complainant in time or not but the perusal of the file and the conduct of the respondent has proved that he/she has not performed his/her duty as mandated by the RTI regime.

6. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **PIO o/o Block Development and Panchayat Officer, Sri Chamkaur Sahib** is directed to show cause as to why penalty @ 250/-per day be not imposed upon him under Section 20 (1) of the RTI Act for not sending the information to the complainant within the statutorily period.

Contd…p-2

**Complaint Case No. 108 of 2018**

7. The respondent-PIO is directed to file a point-wise affidavit in this regard before the next date of hearing with a copy to the complainant.

8. The PIO may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice and explain his conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

9. The matter to come up for further hearing on **10.07.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

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Sh. Hakam Singh,

S/o Sh. Darshan Singh,

R/o Mandhir, Tehsil:Girderbaha,

Distt:Sri Mukatsar Sahib.

Appellant

Versus

**Public Information Officer**,

O/o District Controller,

Food Civil Supplies and Consumer Affairs,

Bathinda.

**First Appellate Authority**

o/o Deputy Director,

Food Civil Supplies and Consumer Affairs,

Ferozepur.

 Respondent

**Appeal Case No. 267 of 2018**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii) Sh. Gagandeep Sharma, AFSO, on behalf of the respondent.

**ORDER**

This order may be read with reference to the previous order dated 14.03.2018.

2. The appellant is absent for today’s hearing without any intimation to the Commission and also was not present during the last hearing.

 3. The respondent states that the appellant has deposited the documentation fee on 18.04.2018 and the information as per his RTI request has already been supplied to him vide letter dated 05.05.2018.

 4. Last opportunity is given to the appellant to point out the deficiency, if any, in the information provided to the respondent within ten days with a copy to the Commission and should personally appear, on the next date of hearing, failing which decision shall be taken on merit.

5. The matter to come up for further hearing on **10.07.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

  **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Chander Pratap,

S/o Sh. Swami, Ward No.2,

Kala Manj Kothi, G.T.Road,

Mukheria, Distt: Hoshiarpur.

 …Complainant

Versus

**Public Information Officer**,

O/o Principal Secretary,

Govt.,of Punjab, Welfare Deptt.,

SC & BC, Punjab, Chandigarh.

 ...Respondent

**Complainant Case No. 1220 of 2017**

**PRESENT:** (i) Sh. Chander Pratap, the complainant.

(ii) None is present on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 20.02.2018.

2. The complainant states that inspite of the directions of the Commission, no information has been given to him by the respondent.

3. Neither the PIO is present for today’s hearing nor has filed any reply to the show cause notice issued to him during the last hearing, which shows that he has no regard for the orders of the Commission.

4. Despite of the repeated directions of the Commission, the PIO o/o **Principal Secy., Punjab State SC & BC Welfare Deptt., Chandigarh** has not attended the hearings in the Commission personally. Therefore, a bailable warrant be issued to him for not complying the orders of the Commission.

5. The matter to come up for further hearing on **10.07.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

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**BAILABLE WARRANT OF PRODUCTION**

BEFORE PROF. VINEY KAPOOR MEHRA, STATE INFORMATION COMMISSIONER, PUNJAB

In case of Sh. Chander Partap v/s Public Information Officer, O/o Principal Secy., Punjab State, SC & BC Welfare Deptt., Chandigarh.

Complaint/Appeal No. : CC : 1220/2017

**UNDER SECTION 18 OF THE RIGHT TO INFORMATION ACT, 2005.**

**NEXT DATE OF HEARING : 10.07.2018**

To

 **Senior Superintendent of Police,**

 **Chandigarh.**

 Whereas the Public Information Officer, PIO o/o **Principal Secy., Punjab State SC & BC Welfare Deptt., Chandigarh** has failed to appear before the State Information Commissioner despite the issuance of repeated notices/directions in the above mentioned appeal case. Therefore, you are hereby directed to serve this bailable warrant on Public Information Officer O/o **Principal Secy., Punjab State SC & BC Welfare Deptt., Chandigarh** to appear before Prof. Viney Kapoor Mehra, SIC at o/o Red Cross Bhawan, Madhya Marg, Sector:16, Chandigarh on 10.07.2018 at 11.30AM. Copy of the orders dated 20.02.2018 is enclosed.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

**Contact No.0172-2864116, Fax No.0172-2864125**

**Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com/); **Email.** **psic26@punjabmail.gov.in**

Sh. Hargopal,

S/o Sh. Walati Ram,

H.No. B-13/252, Opp :Forest Office,

Street No.1, GTB Nagar, Barnala.

 …Complainant.

Versus

**Public Information Officer**,

O/o Deputy Commissioner,

Barnala.

**Public Information Officer**,

O/o Sub Divisional Magistrate,

Barnala.

**Public Information Officer**,

O/o Sub Registrar,

Barnala.

 ...Respondent

**Complaint Case No. 26 of 2018**

**PRESENT:** (i) Sh. Hargopal , the complainant.

(ii)Sh. Lalit Kumar, JR. Assistant on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 14.03.2018.

2. The complainant states that till today, complete information has not been supplied to him by the respondent.

3. Sh. Lalit Kumar, Jr. Assistant is appearing on behalf of the o/o Tehsildar, Barnala and files reply mentioning therein that the RTI application of the complainant dated 22.09.2017 received in the o/o D.C, Barnala and they transferred the same to the SDM, Barnala vide letter dated 29.09.2017. The SDM, Barnala has further transferred the same to the Tehsidlar, Barnala vide letter dated 03.10.2017 that the information relating to point no. 2, 3, 4 and 5 is to be provided by your office with a copy to the complainant. The information on first point was also provided by the SDM, Barnala to the complainant.

4. Last opportunity is given to the PIO to file an affidavit as directed by the Commission during the last hearing, failing which penalty will be initiated against the PIO for non compliance the orders of the Commission.

Contd…p-2

**Complaint Case No. 26 of 2018**

5. The PIO o/o SDM, Barnala and PIO o/o Tehsildar, Barnala both are directed to file an affidavit mentioning therein that the information as per office record stands supplied to the complainant and nothing is pending, on the next date of hearing, failing which action under Section 20(1) of the RTI Act, 2005 will be initiated.

6. The case is adjourned for further hearing now on **10.07.2018 at 11.30AM.**  Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

***Through registered post***

CC: Sh. Balkaran Singh, Tehsildar, Barnala.

 **PUNJAB STATE INFORMATION COMMISSION**

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Sh. Rakesh Kumar Gupta,

Advocate, 8/237, Jagraon,

Road, Mandi Mullanpur,

Distt: Ludhiana. …Appellant

Versus

**Public Information Officer**,

O/o DFSC (East),

Zone-D, Municipal Corporation,

Ludhiana.

**First Appellate Authority**,

o/o DFSC,

Punjab, Sector:39/C,

Chandigarh.

 ...Respondent

 **Appeal Case No. 1694 of 2017**

**PRESENT:** (i) None is present on behalf of the appellant.

(ii)Smt. Narinder Pal Kaur, DFSO, Samrala on behalf of the respondent.

**ORDER**

 This order may be read with reference to the previous order dated 14.03.2018.

2. A letter has been received from the appellant in the Commission by email mentioning therein that the PIO has refused to allow the inspection after thrice hearings and has requested that the PIO be ordered to get all the record in the office of the Commission, so that inspection could be done.

3. The respondent states that during the last hearing, they brought the original record for the inspection but the appellant stated that he will visit the office. He further states that the appellant was called for inspection on 05.03.2018 but he did not turned up. The respondent further states that information as per official record has already been supplied to him vide letter dated 01.09.2017 comprising 595 pages.

4. the PIO is directed to file an affidavit mentioning therein that the information as per office record stands supplied and nothing is left to be given to the appellant, on the next date of hearing, failing which action under Section 20(1)of the RTI Act, 2005 will be initiated.

5. Last opportunity is given to the appellant to follow up his case in the Commission, failing which decision shall be taken on merit.

Contd…p-2

**Appeal Case No. 1694 of 2017**

6. The matter to come up for further hearing now on **10.07.2018 at 11.30AM.** Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**08.05.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

**Contact No.0172-2864116, Fax No.0172-2864125**

**Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com/); **Email.** **psic26@punjabmail.gov.in**

Sh. Rakesh Kumar Gupta,

8/237, Jagrao Road, Mandi Mullanpur,

Distt: Ludhiana.

Appellant

Versus

**Public Information Officer**,

O/o DFSO (West),

Zone-D, M.C, Building,

Ludhiana.

**First Appellate Authority**

o/o Director,

Food Civil Supplies and Consumer,

Chandigarh.

 Respondent

**Appeal Case No. 2768 of 2017**

**Appeal Case No. 2771 of 2017**

**Appeal Case No. 2773 of 2017**

**Alongwith**

**Appeal Case No. 2775 of 2017**

**PRESENT:** (i) Sh. Rakesh Kumar Gupta, the appellant.

(ii) Dr. Kimmi Vaneet Kaur Sethi, DFSO on behalf of the respondent.

**ORDER**

 The RTI applications dated 18.10.2016 and 19.10.2016 vide which the appellant has sought information as enumerated in his RTI application. First appeals were filed with the First Appellate Authority (hereinafter FAA) on 14.05.2017, 06.05.2017 & 07.05.2017 and second appeal was filed in the Commission on 06.10.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 20.03.2018 in the Commission.

3. The appellant filed four appeals with the Commission seeking information from DFSC (west), Ludhiana as in all the four appeals, the appellant and the PIO is the same, so all these has been clubbed together.

4. The appellant states that till today, no information has been supplied to him by the respondent.

 5. The respondent states that the information comprising 122 pages has already been supplied to the appellant vide letter dated 12.12.2017.

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**Appeal Case No. 2768 of 2017**

**Appeal Case No. 2771 of 2017**

**Appeal Case No. 2773 of 2017**

**Alongwith**

**Appeal Case No. 2775 of 2017**

 6. The appellant is advised to go through the information and point out the deficiency, if any, in the information provided to the respondent within one week in writing, with a copy to the Commission.

 7. The respondent is directed to remove the same, before the next date of hearing, failing which penal action will be initiated against the PIO as per the provisions of the RTI Act, 2005. The PIO is directed to appear personally on the next date of hearing alongwith the written reply that on what basis the information has been delayed.

 8. The matter to come up for further hearing now on **05.06.2018 at 11.30AM.**  Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**20.03.2018 State Information Commissioner**

 **PUNJAB STATE INFORMATION COMMISSION**

**Red Cross Building, Near Rose Garden**

**Sector:16, Chandigarh**

**Contact No.0172-2864116, Fax No.0172-2864125**

**Visit us @** [**www.infocommpunjab.com**](http://www.infocommpunjab.com/); **Email.** **psic26@punjabmail.gov.in**

Sh. Rakesh Kumar Gupta,

8/237, Jagrao Road, Mandi Mullanpur,

Distt: Ludhiana.

Appellant

Versus

**Public Information Officer**,

O/o District Manager,

Punjab Agro Food Corporation,

Salim Tabri, Ludhiana.

**First Appellate Authority**

o/o Director,

Punjab Agro Food Corporation,

Ludhiana.

 Respondent

**Appeal Case No. 2770 of 2017**

**PRESENT:** (i) Sh. Rakesh Kumar Gupta, the appellant.

(ii) Sh. Ravinder Kumar and Sh. Joginder Paul Sharma, Clerk on behalf of the respondent.

**ORDER**

 The RTI application is dated 03.11.2016 vide which the appellant has sought information as enumerated in his RTI application. First appeal was filed with the First Appellate Authority (hereinafter FAA) on 06.05.2017 and second appeal was filed in the Commission on 06.10.2017 under Section 19 of the Right to Information Act, 2005 (hereinafter RTI Act).

2. Notice of hearing was issued to the parties for 20.03.2018 in the Commission.

3. The appellant states that he has received the information from the respondent and has already pointed out deficiencies vide letter dated 01.02.2018 but till today, complete and satisfactory information has not been supplied to him.

 4. The respondent states that the information as per its availability has already been supplied to the appellant vide letter dated 12.12.2017.

 5. After examining the case file, it is ascertained that the RTI application is dated 03.11.2016 and the information has been supplied to the appellant vide letter dated 12.12.2017, after the delay of one year.

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**Appeal Case No. 2770 of 2017**

6. Looking at the lackadaisical and highly irresponsible attitude of the respondent, **Sh. Jagtar Singh Mali, D.M-cum-PIO o/o Punjab Agro Food Corporation, Ludhana** is directed to show cause as to why penalty @ 250/-per day be not imposed upon her under Section 20 (1) of the RTI Act for not sending the information to the appellant within the statutorily period and why the appellant should not be compensated for the harassment suffered by him in getting the information.

7. The respondent-PIO is directed to file a written point-wise affidavit in this regard, before the next date of hearing with a copy to the appellant. He is also directed either to provide the complete information to the appellant or to file an affidavit mentioning therein that the information which was available in the official record stands supplied and nothing is left.

8. He may also make use of the next date of hearing for his personal hearing as well under the principles of natural justice and explain his conduct and status of the complaint to enable the Commission to arrive at a reasonable/logical conclusion in the matter.

9. It is observed that the respondents are being represented by very low level officials who are not in a position to satisfy the commission and the appellant. From the next date of hearing, no person below the PIO or APIO will be allowed to appear in the Commission. Appearance of low level officials will amount to disrespect to the RTI Act besides invoking the provisions of imposition of penalty and also recommendation of disciplinary action against the PIO under Section 20 of RTI Act, 2005.

10. The matter to come up for further hearing on **17.05.2018 at 11.30 AM**. Copies of the order be sent to the parties.

 Sd/-

**Chandigarh (Prof. Viney Kapoor Mehra)**

**20.03.2018 State Information Commissioner**

***Through registered post***

**CC: Sh. Jagtar Singh Mali, D.M, Punjab Agro Food Corporation, Salim Tabri, Ludhiana.**

**The quick brown fox jumps over the lazy dog.**